

Declaration and Power of Attorney For Patent Application
English Language Declaration

As a below signed inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
SYSTEM AND METHOD OF INTEGRATED CALORIE MANAGEMENT

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on 10/12/01 as United States Application No. or PCT International Application Number _____ and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/240,185</u>	<u>10/13/2000</u>
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Allen M. Krass, Reg. No. 18,277

Avery N. Goldstein, Ph.D., Reg. No. 39,204

Ernest I. Gifford, Reg. No. 20,644

Mark D. Schneider, Reg. No. 43,906

Irvin L. Groh, Reg. No. 17,505

Beverly Bunting, Reg. No. 36,072

Douglas W. Sprinkle, Reg. No. 27,394

Thomas E. Anderson, Reg. No. 31,318

Ronald W. Citkowski, Reg. No. 31,005

Judith M. Riley, Reg. No. 31,561

Douglas J. McEvoy, Reg. No. 34,385

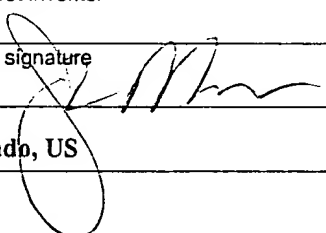
Ellen S. Cogen, Reg. No. 38,109

John G. Posa, Reg. No. 37,424

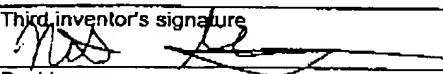
Douglas L. Wathen, Reg. No. 41,369

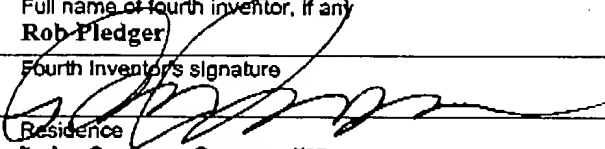
Send Correspondence to: **Beverly M. Bunting**
Gifford, Krass, Groh, Sprinkle, Anderson & Citkowski, P.C.
280 N. Old Woodward, Suite 400
Birmingham, MI 48009

Direct Telephone Calls to: *(name and telephone number)*
Beverly M. Bunting (248) 647-6000

Full name of sole or first inventor James R. Mault	
Sole or first inventor's signature 	Date 11/02/81
Residence Evergreen, Colorado, US	
Citizenship US	
Post Office Address 1580 Blakcomb Court, Evergreen, Colorado 80439, US	

Full name of second inventor, if any John Sanderson	
Second inventor's signature	Date
Residence Bainbridge Island, Washington, US	
Citizenship US	
Post Office Address 11832 Sunrise Drive, Bainbridge, Washington 98110, US	

Full name of third inventor, if any Nicholas Anderson	
Third inventor's signature 	Date
Residence Seattle, Washington, US	
Citizenship US	
Post Office Address 1916 14th Avenue-West, Seattle, Washington 98119, US	

Full name of fourth inventor, if any Rob Pledger	
Fourth inventor's signature 	Date 1/17/02
Residence Lake Oswego, Oregon, US	
Citizenship US	
Post Office Address 16869 SW 65th Avenue #221, Lake Oswego, Oregon 97035, US	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Docket No.
MJA-23702/03

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Thomas E. Anderson, Reg. No. 31,318

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Ellen S. Cogen, Reg. No. 38,109

John G. Posa, Reg. No. 37,424

Douglas L. Wathen, Reg. No. 41,369

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Gifford, Krass, Groh, Sprinkle, Anderson & Citkowski, P.C.
280 N. Old Woodward, Suite 400
Birmingham, MI 48009

Direct Telephone Calls to: *(name and telephone number)*
Beverly M. Bunting (248) 647-6000

Full name of sole or first inventor James R. Mault	
Sole or first inventor's signature	Date
Residence Evergreen, Colorado, US	
Citizenship US	
Post Office Address 1580 Blakcomb Court, Evergreen, Colorado 80439	

Full name of second inventor, if any John Sanderson	
Second inventor's signature	Date
Residence Bainbridge Island, Washington, US	
Citizenship US	
Post Office Address 11832 Sunrise Drive, Bainbridge, Washington 98110	

Full name of third inventor, if any Nicholas Anderson	
Third inventor's signature	Date
Residence Seattle, Washington, US	
Citizenship US	
Post Office Address	

Full name of fourth inventor, if any Rob Pledger	
Fourth inventor's signature	Date
Residence Seattle, Washington, US	
Citizenship US	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	



Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)

Docket No.
MJA-23702/03

Assignment of the following rights, title and interest: (check all that apply):

- ☒ United States of America rights, title and interest in the invention
☒ Foreign rights, title and interest in the invention
☒ United States Patent Application Serial No. _____

Date of Execution: _____ Date of Filing: 10/12/01

- ☒ United States Provisional Patent Application Serial No. 60/240,185
☐ United States Patent No(s). _____
☐ International (PCT) Patent Application Serial No. _____
☐ Other (specify) _____

Title of the Invention

SYSTEM AND METHOD OF INTEGRATED CALORIE MANAGEMENT

Inventors (assignors)

Name	Address
James R. Mault	1580 Blakcomb Court, Evergreen, Colorado 80439, US
John Sanderson	11832 Sunrise Drive, Bainbridge, Washington 98110, US
Nicholas Anderson	1916 14th Avenue-West, Seattle, Washington 98119, US
Rob Pledger	16869 SW 65th Avenue #221, Lake Oswego, Oregon 97035, US

Assignee

Name	Address
HealtheTech, Inc. a Delaware corporation	523 Park Point Drive, 3rd Floor Golden, Colorado 80401 US

Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)

Docket No.
MJA-23702/03

Whereas, we, the above-identified Inventors, have invented certain new and useful improvements in the Invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as "Invention");

And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified Assignee;

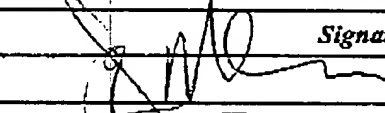

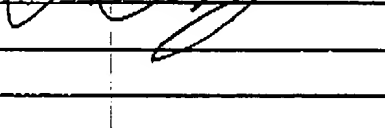

Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;

We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) as identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;

And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.

Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)

Name	Signature/Date
James R. Mault	
John Sanderson	
Nicholas Anderson	
Rob Pledger	 1/17/02